

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 16-00686 AG (DFMx)	Date	May 8, 2017
Title	BRUCE CAHILL ET AL. v. PAUL PEJMAN EDALAT ET AL.		

Present: The
Honorable

ANDREW J. GUILFORD

Lisa Bredahl

Not Present

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

**Proceedings: [IN CHAMBERS] ORDER GRANTING MOTION TO
CONTINUE TRIAL**

This lawsuit was filed because of a business dispute but it quickly spiraled into something more. The case now involves claims and counterclaims, with allegations varying from fraud to sexual harassment, among other things. But there's no need to delve any further into the details of those allegations at this time because the Court is now facing a motion to continue the trial date filed by Defendants Paul Pejman Edalat, Olivia Karpinski, Farah Barghi, Sentar Pharmaceuticals Inc., and EFT Global Holdings, Inc.

As a preliminary note, Plaintiffs have filed an ex parte application for consideration of a surreply in light of some recent events. The Court has reviewed the surreply and its opposition but will deny the application because the content of the surreply isn't necessary in the analysis of this Order.

Moving on to the motion to continue the trial date. The court has previously issued a scheduling order setting a trial date for this case. Federal Rule of Civil Procedure 16 states that a scheduling order "may be modified only for good cause and with the judge's consent." Fed. R. Civ. P.16(b)(4). Good cause may exist if the existing schedule "cannot reasonably be met despite the diligence of the party seeking the extension." *Zivkovic v. S. Cal. Edison Co.*, 302

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F.3d 1080, 1087 (9th Cir. 2002) (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607 (9th Cir. 1992)).

Defendants have recently retained new counsel, Saied Kashani. And Mr. Kashani's wife is pregnant with a mid-May due date. Mr. Kashani therefore asks for approximately a 90 day continuance of the June 13, 2017 trial date to help care for his new-born child and to assist with the care of his toddler. Plaintiffs oppose, arguing that various defamatory online posts, mainly by Defendant Mr. Edalat, are continuing to harm their reputation and the only way to vindicate their rights is through an early trial. According to Plaintiffs, Mr. Edalat has not taken down the allegedly defamatory and vulgar online comments that he previously posted about Plaintiffs.

The Court is bound to "secure the just, speedy, and inexpensive determination of every action and proceeding." Fed. R. Civ. P. 1. For this reason and others, the Court does not grant continuances of trials often or easily. But this is a rare occasion where good cause exists to justify a short continuance of the trial. The continuance will not be as lengthy as Defendants wish it to be, both because of the duty to secure the speedy determination of this case and because of some of Mr. Edalat's behaviors.

DISPOSITION

The Court DENIES the ex parte application to supplement Plaintiffs' opposition to Defendants' motion to continue the trial date. (Dkt. No. 229.)

The Court GRANTS the motion to continue the trial as modified in this Order. (Dkt. No. 218.)

The Court CONTINUES the trial date from June 13, 2017 at 9:00 a.m. to **July 25, 2017 at 9:00 a.m.**

The Court CONTINUES the pretrial conference from May 22, 2017 at 8:30 a.m. to **June 26, 2017 at 8:30 a.m.**

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